

CLOSED, ECF

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:12-cv-03215-JSR**

The New York Times Company et al v. United States
Department of Justice
Assigned to: Judge Jed S. Rakoff
Cause: 05:552 Freedom of Information Act

Date Filed: 04/24/2012
Date Terminated: 01/09/2013
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**The New York Times Company**

represented by **David Edward McCraw**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff**Charlie Savage**

represented by **David Edward McCraw**
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V.

Defendant**United States Department of Justice**

represented by **Tara Marie La Morte**
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Date Filed	#	Docket Text
04/24/2012	<u>1</u>	COMPLAINT against United States Department of Justice. (Filing Fee \$ 350.00, Receipt Number 6323) Document filed by The New York Times Company, Charlie Savage.(ama) (Entered: 04/26/2012)
04/24/2012		SUMMONS ISSUED as to United States Department of Justice, U.S. Attorney and U.S. Attorney General. (ama) (Entered: 04/26/2012)

04/24/2012		Magistrate Judge Henry B. Pitman is so designated. (ama) (Entered: 04/26/2012)
04/24/2012		Case Designated ECF. (ama) (Entered: 04/26/2012)
04/30/2012	<u>2</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by The New York Times Company.(McCraw, David) (Entered: 04/30/2012)
05/02/2012	<u>3</u>	NOTICE OF COURT CONFERENCE: Judge Rakoff has ordered that counsel for all parties attend a conference, at the time and place fixed below, to report the status of this litigation and to consider other relevant matters. You are directed to furnish all attorneys in this action with copies of this notice and enclosures, and to furnish Chambers with a copy of any transmittal letter(s). If you are unaware of the identity of counsel for any of the parties, you should send a copy of the notice and rules to that party personally, informing the party that any unrepresented party is required to appear at the conference in person. Counsel are advised to review Judge Rakoffs Individual Rules of Practice, a copy of which is enclosed. May 10, 2012, AT THE UNITED STATES COURTHOUSE, 500 PEARL STREET, NEW YORK, N.Y. IN COURTROOM 14-B AT 11:00 a.m. Status Conference set for 5/10/2012 at 11:00 PM in Courtroom 14B, 500 Pearl Street, New York, NY 10007 before Judge Jed S. Rakoff. (Signed by Judge Jed S. Rakoff on 5/2/2012) (rdz) (Entered: 05/02/2012)
05/10/2012		Minute Entry for proceedings held before Judge Jed S. Rakoff: Initial Pretrial Conference held on 5/10/2012. Defense/Gov't may file a Motion for Summary Judgment 6-14-2012; response due 6-28-2012; replies due 7-12-2012. An argument is scheduled for 7-19-2012 at 4:00 p.m. (Landers, Rigoberto) (Entered: 06/08/2012)
05/24/2012	<u>4</u>	ANSWER to <u>1</u> Complaint. Document filed by United States Department of Justice.(La Morte, Tara) (Entered: 05/24/2012)
06/14/2012	<u>5</u>	MOTION for Summary Judgment. Document filed by United States Department of Justice. Responses due by 6/28/2012 Return Date set for 7/19/2012 at 04:00 PM.(La Morte, Tara) (Entered: 06/14/2012)
06/14/2012	<u>6</u>	MEMORANDUM OF LAW in Support re: <u>5</u> MOTION for Summary Judgment.. Document filed by United States Department of Justice. (La Morte, Tara) (Entered: 06/14/2012)
06/14/2012	<u>7</u>	DECLARATION of Paul P. Colborn in Support re: <u>5</u> MOTION for Summary Judgment.. Document filed by United States Department of Justice. (Attachments: # <u>1</u> Exhibit A-D)(La Morte, Tara) (Entered: 06/14/2012)
06/28/2012	<u>8</u>	CROSS MOTION for Summary Judgment. Document filed by Charlie Savage, The New York Times Company.(McCraw, David) (Entered: 06/28/2012)
06/28/2012	<u>9</u>	MEMORANDUM OF LAW in Support re: <u>8</u> CROSS MOTION for Summary Judgment.. Document filed by Charlie Savage, The New York Times Company. (McCraw, David) (Entered: 06/28/2012)
06/28/2012	<u>10</u>	DECLARATION of David McCraw in Support re: <u>8</u> CROSS MOTION for Summary Judgment.. Document filed by Charlie Savage, The New York Times Company. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(McCraw, David) (Entered: 06/28/2012)
07/12/2012	<u>11</u>	MEMORANDUM OF LAW in Opposition re: <u>8</u> CROSS MOTION for Summary Judgment. <i>and in Further Support of Defendant's Motion for Summary Judgment.</i> Document filed by United States Department of Justice. (La Morte, Tara) (Entered: 07/12/2012)
07/19/2012		Minute Entry for proceedings held before Judge Jed S. Rakoff: Oral Argument held on 7/19/2012 re: <u>6</u> Memorandum of Law in Support of Motion filed by United States Department of Justice, <u>5</u> MOTION for Summary Judgment. filed by United States Department of Justice, <u>11</u> Memorandum of Law in Opposition to Motion filed by United States Department of Justice, <u>9</u> Memorandum of Law in Support of Motion filed by The New York Times Company, Charlie Savage, <u>7</u> Declaration in Support of Motion filed by United States Department of Justice, <u>8</u> CROSS

		MOTION for Summary Judgment. filed by The New York Times Company, Charlie Savage, <u>10</u> Declaration in Support of Motion filed by The New York Times Company, Charlie Savage. (Kotowski, Linda) (Entered: 08/08/2012)
09/21/2012		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephone Conference held on 9/21/2012. (Kotowski, Linda) (Entered: 10/05/2012)
10/10/2012	<u>12</u>	NOTICE OF APPEARANCE by Sarah Sheive Normand on behalf of United States Department of Justice (Normand, Sarah) (Entered: 10/10/2012)
01/07/2013	<u>13</u>	MEMORANDUM ORDER granting <u>5</u> Motion for Summary Judgment; denying <u>8</u> Motion for Summary Judgment. Because the Goldsmith and Elwood Memoranda are protected by the deliberative process privilege, and because the government has not waived that privilege, DOJ's motion for summary judgment is hereby granted, and the New York Times' cross motion for summary judgment is hereby denied. The Clerk of the Court is directed to enter judgment for defendant and to close the case. (Signed by Judge Jed S. Rakoff on 1/4/2013) (ft) (Entered: 01/08/2013)
01/07/2013		Transmission to Judgments and Orders Clerk. Transmitted re: <u>13</u> Order on Motion for Summary Judgment to the Judgments and Orders Clerk. (ft) (Entered: 01/08/2013)
01/09/2013	<u>14</u>	CLERK'S JUDGMENT That for the reasons stated in the Court's Memorandum Order dated January 4, 2013, DOJ's motion for summary judgment is granted, and the New York Times' cross-motion for summary judgment is denied; accordingly, judgment is entered for defendant and the case is closed. (Signed by Clerk of Court Ruby Krajick on 1/9/13) (Attachments: # <u>1</u> Notice of Right to Appeal)(ml) Modified on 1/9/2013 (ml). (Entered: 01/09/2013)